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\*\*E-filed 7/5/05\*\*

5 Attorneys for Plaintiff  
6 EASTECH ELECTRONICS (TAIWAN), INC.

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 San Jose Division  
11  
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13 EASTECH ELECTRONICS  
14 (TAIWAN), INC., a Taiwan  
corporation,

15 Plaintiff,

16 v.

17 DIGITAL NETWORKS NORTH  
18 AMERICA, INC., a Delaware  
corporation,

19 Defendant.

Case Number: CV04-04542-JF

**JOINT STIPULATION TO  
CONTINUE CASE MANAGEMENT  
CONFERENCE; DECLARATION OF  
KEITH J. WESLEY IN SUPPORT  
THEREOF; PROPOSED ORDER**

1 Plaintiff Eastech Electronics (Taiwan), Inc. ("Eastech") and  
2 Defendant Digital Networks North America, Inc. ("DNNA") respectfully request  
3 that this Court grant the Order, attached hereto, continuing the date of the Case  
4 Management Conference currently scheduled for August 5, 2005. Both Eastech  
5 and DNNA stipulate to a continuance of that Conference until October 5, 2005, or  
6 until such other time that is convenient for the Court. Pursuant to Local Rule No.  
7 6-2(a), the factors necessitating this request are contained in the accompanying  
8 Declaration of Keith J. Wesley.

9 Date: June 24, 2005

LATHAM & WATKINS LLP

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11  
12 By: 

Keith J. Wesley

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14 Attorneys for Plaintiff  
Eastech Electronics (Taiwan), Inc.

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17 PILLSBURY WINTHROP  
18 SHAW PITTMAN LLP

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21 By: 

Daniel J. Richert

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23 Attorneys for Defendant  
24 Digital Networks North America, Inc.

**DECLARATION OF KEITH J. WESLEY**

I, Keith J. Wesley, am over the age of 18 and declare as follows:

1. I am an attorney at the law firm of Latham & Watkins LLP, counsel to Plaintiff Eastech Electronics (Taiwan), Inc. ("Eastech") in the above-entitled case. I have personal, first-hand knowledge of the facts set forth below, and if called upon to do so, could and would testify competently thereto under oath.

2. Eastech filed its Complaint against Digital Networks North America, Inc. ("DNNA") in this action on October 27, 2004. The Court and parties engaged in an Initial Case Management Conference on April 1, 2005. This case was referred to Magistrate Judge Howard R. Lloyd for a settlement conference. A further Case Management Conference is scheduled to be held on Friday, August 5, 2005.

3. Since the Initial Case Management Conference, counsel for both Eastech and DNNA have been working diligently to complete document discovery. Depositions have yet to be scheduled in light of issues relating to document discovery that have arisen and that the parties are working together to resolve. Both Eastech and DNNA have indicated that once document discovery is complete, they plan to schedule depositions of key witnesses.

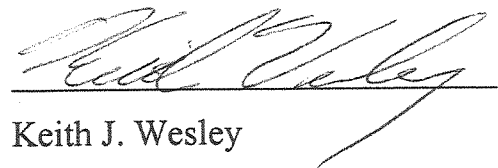
4. The scheduling of depositions in this case is challenging because Eastech's headquarters is in Asia and several key witnesses that both sides intend to depose are located outside of the United States.

5. On or about June 16, counsel for Eastech and DNNA engaged in a phone conference to discuss discovery issues and the status of the case. Counsel for Eastech and DNNA agreed that there is insufficient time between now and August 5 to complete document discovery, take depositions, and participate in a meaningful settlement conference. Counsel for Eastech and DNNA agreed that settlement discussions will be more beneficial if they occur after discovery is

1 substantially complete. Counsel for Eastech and DNNA agreed that an additional  
2 60 days would likely provide the parties enough time to adequately prepare for and  
3 participate in meaningful settlement discussions.

4           6.     The parties have not previously requested any time  
5 modifications in this case.

6           7.     I declare under penalty of perjury under the laws of the United  
7 States of America that the foregoing is true and correct. Executed at Los Angeles,  
8 California on June 24, 2005.

9  
10   
11 Keith J. Wesley

**PROPOSED ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED that the Case  
Management Conference in this matter is rescheduled to Oct. 7, 2005.

Dated: 7/5/05

electronic signature authorized

Judge Jeremy Fogel